

## **REMARKS**

The above amendments and these remarks are responsive to the Office action dated June 20, 2005. In the Office action, claims 3-6 and 14-17 are rejected under 35 U.S.C. 102 (e) as being anticipated by Araki, et al. (U.S. Pat. No. 6,875,069). Claim 11 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Nanami (U.S. Pat. No. 6,183,324) in view of Nakase, et al. (U.S. Pat. No. 5,634,832) and Inoue, et al. (US202/0104298). Claims 8-10 and 13 are indicated as allowed. Applicant thanks the Examiner for the careful consideration of the application and indications of allowability. Applicant traverses the rejections, but nevertheless amends the claims as shown above. In view of the amendments above, and the remarks below, applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

### **Claims 1, 2, 5, 7, and 12**

These claims have been cancelled, without prejudice.

### **Claims 8-10 and 13**

These claims have been allowed.

### **Claims 3, 4, 6, and 14-17**

Applicant initially notes that the foreign priority date of the subject application is March 19, 2003, which is before the July 21, 2003 U.S. filing date of Araki. Although Applicant has not yet submitted an English translation of the foreign priority application, Applicant respectfully submits that it is plain from the figures contained in the certified copy of the foreign priority document submitted to the USPTO that all elements claimed in amended claim 3 are disclosed in the foreign priority application, and therefore the citation of Araki as prior art is inappropriate. On this basis, Applicant respectfully requests that the rejections based on Araki be withdrawn.

In addition or in the alternative, Applicant requests that the rejection based on Araki be withdrawn based on the following identified differences between the prior art and amended claim 3. Amended claim 3 recites a stand-up type personal watercraft that includes a steering column that is pivotally supported on a front portion of the deck at a front end portion thereof and is configured to extend rearward in a longitudinal direction of the body. Amended claim 3 further recites a foot deck configured to extend from under a rear end portion of the steering column to a rear end portion of the body so as to include an axis located at a center in a lateral direction of the body so as to extend along the longitudinal direction of the body, and wherein the four-cycle multi-cylinder engine is mounted within the body to be located under the steering column such that a crankshaft thereof extends substantially in the longitudinal direction of the body and the cylinders are oriented to extend vertically.

Typically, it is difficult to effectively mount a four-cycle engine in a stand-up type personal watercraft such that cylinders are oriented to extend vertically, since size limitations of the body would result in the center of gravity of the watercraft being too high. One potential advantage of the combination of features recited in amended claim 3 is that the vertical dimension of an inline four-cylinder engine may be controlled/decreased, by connecting each of an air-intake manifold and an exhaust manifold to the cylinder head and extending each downward from the cylinder head, through a position horizontally lateral of the cylinder block, to a position horizontally lateral of the crank case. According to this configuration, the center of gravity of the structure including the engine and the manifolds may be located lower than previously believed possible in this type of watercraft. This low center of gravity stabilizes the attitude of the body of the stand-up type personal watercraft, thus enabling a four-cycle engine to

be effectively mounted within the body such that the cylinders are oriented to extend vertically, without undesirably affecting performance of the watercraft.

In contrast to the configuration claimed in amended claim 3, Araki fails to disclose a construction in which a four-cycle engine is mounted in a stand-up type personal watercraft. And further, the invention of Araki is not directed to locating a center of gravity of an engine lower. Thus, Araki fails to disclose each and every structural feature of the configuration of amended claim 3, and further does not achieve the potential advantageous effects of the claimed configuration.

With regard to dependent claim 4, this claim recites that the oil tank is configured to extend upward from under the crankcase along a side wall portion of the crankcase and to have a space elongated in a vertical direction of the body at a position lateral of the crankcase. With such a construction, the problem caused by non-uniformity of the oil inside the oil tank, which is recited in specification of the subject application, is inhibited, and thus the oil is smoothly supplied to engine components. None of the prior art of a stand-up type personal watercraft discloses an oil tank so constructed.

For the reasons discussed above, Applicant respectfully submits that claims 3, 4, 6 and 14-17 are allowable.

#### Claim 11

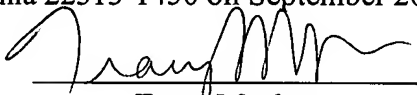
Amended claim 11 recites that a stand-up type personal watercraft comprises a steering column and a foot deck, which are configured similar to those recited in amended claim 3. The watercraft includes an inline four-cylinder four-cycle engine mounted within a body thereof, and the engine is mounted such that a crankshaft extends along a longitudinal direction of the body and cylinders are oriented to extend vertically.

Nanami, on the other hand, discloses a straddle-type personal watercraft including a two-cycle engine mounted in a body thereof such that a crankshaft extends in a lateral direction of the body (see Fig. 23). As will be understood by a comparison of amended claim 11 to the specification and figures of Nanami, there are numerous substantial differences between the configuration of claim 11 and Nanami, such as the type of watercraft, type of engine, and orientation or direction of the engine mounted in the body. Given these differences, applicants respectfully submit that it would not have been obvious to one of ordinary skill in the art to combine the teachings of Nanami with Nakase, et al. (No. 5,634,832), and/or Inoue, et al. (US202/0104298) to arrive at the claimed invention.

Applicant believes that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicant respectfully requests that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

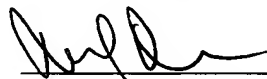
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Respectfully submitted,

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